

# NEWS RELEASE

Office of Attorney General Terry Goddard



STATE OF ARIZONA  
DEPARTMENT OF LAW  
1275 W. Washington Street  
Phoenix, Arizona 85007-2926

CONTACT:  
Richard Travis  
PRESS OFFICE  
Phone: (602)-542-7922

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Attorney General, Terry Goddard, announced a proposed settlement today for \$80 million involving the popular heart medication Cardizem CD. The fifty state settlement resolves an antitrust lawsuit filed by Arizona and multiple other state attorneys general against Aventis Pharmaceuticals Inc. ("Aventis"), Andrx Corporation ("Andrx") and affiliated entities.

The Arizona Attorney General's office alleged that Aventis and Andrx illegally agreed that Andrx would stay off the market with a less expensive generic version of the drug Cardizem CD in return for Aventis paying Andrx nearly \$90 million. Delays in bringing the generic drug to market, the lawsuit alleged, resulted in higher prices for consumers and governmental agencies.

"Big prescription drug companies should view today's settlement as a warning," Goddard stated. "If you conspire to keep less expensive medications out of the market, you are in peril."

Under the settlement, Aventis and Andrx must pay \$80 million into a fund that will compensate consumers, state agencies, and insurance companies who overpaid for Cardizem CD and its generic equivalents between January 1998 and January 2003. The settlement is in addition to a \$110 million settlement reached earlier between the companies and drug wholesalers involving the same alleged violations. In total, the drug companies will be required to pay over \$190 million.

\_\_\_ The proposed settlement was filed today with U.S. Federal District Court Judge Nancy Edmunds in Detroit and requires approval from the court to become effective. If approved, Attorney General, Terry Goddard will implement a claims administration process this summer for consumers who purchased Cardizem CD or its generic equivalent at any time between January 1998 and January 2003.